

Sanders, Paul@Waterboards

From: Thomas E. Ballard PG, CHG <tballard@geologicalanalytics.com>
Sent: Wednesday, February 11, 2015 2:12 PM
To: Sanders, Paul@Waterboards
Subject: Re: Greener Globe at Berry Street Mall Landfill - Questions

Paul:

Basically, I took over the report writing from EBA. The sampling was done by Doulos Environmental and the lab was selected by Mr. Sheehan. I just got the results emailed to me and did the reports in accordance with the 1989 WDRs. EBA had been doing the reports for really cheap (which is one of several reasons they did not want to continue) and I did them for the same price as a favor to Dan Sheehan.

When the draft 2011 WDR was presented, we submitted comments after I discussed with Mr. Sheehan but, as I told him, there was really no way the Water Board was not going to adopt them. His point was that he did not have the money to comply, which is true but, as near as I can tell, he apparently felt he could ignore them and he just wanted to continue with the 1989 WDR requirements and the landfill gas reports to the County. I had multiple meetings with him and discussed potential implications of not complying. Since he did not have the money, he was looking for an investor who would put up money in some sort of deal where he would maintain controlling interest. I was not really privy to a lot of that dealing, although I did at one point do a "risk analysis" for Dan Sheehan and his bank where I detailed the costs of complying with the 2011 WDRs and the risks of not doing so. There were a number of schemes involving a lot split, trying to do a limited clean closure, etc. What I told him on multiple occasions is that if he was going to propose something to the Water Board, he needed to be prepared to move on it in short order, so most ideas never came to any sort of fruition. I kept reminding him that the clock was ticking. He was apparently working on some sort of deal last year, which was a good opportunity for me to exit, as he was talking about an investor who would have their own consultant (who I believe was supposed to be Terracon).

The late reports were mainly due to lack of payment and sometimes lack of data - as I mentioned earlier, I was writing the reports and had to rely on Mr. Sheehan for the data. As little as he was charged for the reports, it was still very difficult to get paid. Once again, I think that is a symptom of his lack of cash flow but he also really did not realize how much this stuff really costs. I have no idea what Doulos was charging him for the sampling, but I think he was getting a good deal there, as well. In 2012 and 2013, he sent the annual groundwater samples to a lab I had never heard of, but was not certified in California, would not (and probably was not capable of) provide EDFs and would not even provide copies of the chains of custody. In 2012, they did not even provide well numbers on the samples, so there is no way of really knowing what was what, meaning the data was essentially useless. In spite of both my and Doulos' advice to the contrary, he went back to the same lab in 2013, so he had two years worth of annual sampling data that was, for all intents and purposes, useless. I suspect the lab was really cheap. Also, in spite of reminders to do so, the two storm water sampling events per year were not conducted in many years.

In order to wrap things up with Mr. Sheehan, I made him a discounted offer to pay me off and it still took months to even get that. As far as I am concerned and Mr. Sheehan is concerned, I am paid in full and just happy to be out of the situation.

Dan Sheehan is a nice guy, but I think he out-thought himself a lot of the time and figured he could just keep kicking the can down the road in terms of regulatory compliance.

I hope that explains the situation in a bit more detail.

Tom Ballard

On Feb 11, 2015, at 3:00 PM, Sanders, Paul@Waterboards <Paul.Sanders@waterboards.ca.gov> wrote:

Tom,

Sorry to bother you again, but I was wondering if you could provide some information regarding your work for a Greener Globe Corporation at the Berry Street Mall (Aka Finger's) Landfill.

1. What were you hired to do (What was the contract for specifically)?
2. What were you actually authorized to do since the new 2011 WDRs were adopted? I ask this because the reports submitted since the 2011 WDRs were adopted do not comply with the requirements outlined in the 2011 WDRs.
3. Why were so many reports submitted late?
4. Has Greener Globe paid all outstanding bills to Geological Analytics? If not, what is outstanding?

Thanks in advance for any information you can provide.

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